

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

VIA ECF

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MALCOLM CHAMBERS AND KIMBERLY
REAVES, Individually and on Behalf of All
Other Persons Similarly Situated,

Plaintiffs,

-against-

SCO FAMILY OF SERVICES,

Defendant.
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Civil Action No. 06-CV-1275

Hurley, J.
Wall, M.J.

AFFIRMATION OF CRAIG S. ROBERTS IN SUPPORT OF
DEFENDANT'S MOTION TO STRIKE
"CONSENT TO BECOME PARTY PLAINTIFF" FORMS

Craig S. Roberts, an attorney admitted to practice law before the Courts of the State of New York and, inter alia, before the United States District Court for the Eastern District of New York, hereby affirm, under penalty of perjury, as follows:

1. I am a member of the law firm Jackson Lewis LLP, counsel for Defendant.
2. The following statements are true based upon my own knowledge, review of pertinent documents, and information and belief.
3. Attached hereto as Exhibit A is a copy of the Complaint filed by Plaintiffs Chambers and Reaves, dated March 20, 2006.
4. Attached hereto as Exhibit B is a copy of Defendant's Answer, dated May 30, 2006.

5. Attached hereto as Exhibit C are copies of the first group of “opt-in” notice forms filed in behalf of individuals purporting to consent to become a member of a class action. These forms were filed as follows: (1) Malcolm Chambers (April 28, 2006; original Plaintiff); (2) David Slaght (June 15, 2008); (3) Steven Foster (October 25, 2006); (4) Chuck Miller (October 25, 2006); (5) Kevin Green (October 25, 2006); (6) Dolores Diggs (November 28, 2006); (7) Amy Ibanez (May 9, 2007); (8) Kimberly Reaves (May 16, 2007; original Plaintiff); (9) Lashanda Dixon (May 21, 2007); and, (10) Trevor Davis (May 21, 2007).

6. Attached hereto as Exhibit D is a copy of this Court’s Order, dated July 26, 2006.

7. Attached hereto as Exhibit E is a copy of this Court’s Order, dated March 7, 2007.

8. Attached hereto as Exhibit F is a copy of this Court’s Order, June 6, 2006.

9. Attached hereto as Exhibit G is a copy of this Court’s Electronic Order, dated June 12, 2007.

10. Attached hereto as Exhibit H is a copy of this Court’s Electronic Order, dated October 10, 2007.

11. Attached hereto as Exhibit I is a copy of this Court’s Electronic Order, dated November 9, 2007.

12. Attached hereto as Exhibit J is Plaintiffs’ letter to the Court, dated November 16, 2007.

13. Attached hereto as Exhibit K is this Court’s Electronic Order, dated November 28, 2007.

14. Attached hereto as Exhibit L is a copy of an “opt-in” notice form filed on February 13, 2008, by Patrice Fung, who purported to become a member of this case.


15. Attached hereto as Exhibit M is a copy of an “opt-in” notice form filed on May 5, 2008, by Rashaun Romaine, who also sought belatedly to join this action.

16. Attached hereto as Exhibit N are copies of eleven “opt-in” notice forms filed on May 8, 2008, in behalf of the following group of individuals purporting to become members of this action, to wit; Cassandra Ivey, James Bouyer, Sigmund Hanberry, Henry Clark, Caishea Irons, Debra Rodriguez, Harry Davis, Elizabeth Stanley, Felicia Stanton-Spain, Cheryl Bovey and Henry Nichols.

17. Attached as Exhibit O are relevant transcript pages from, respectively, the depositions of Roslyn Marett, Defendant’s Director of Human Resources, and Robert Bailey, a Program Director.

18. Attached as Exhibit P are time and pay detail charts for named Plaintiffs Chambers and Reeves and the pre-2008 opt-in claimants, prepared by Defendant, evidencing that only some of the named Plaintiffs and opt-in claimants worked any overnight shifts.

Affirmed on this 30th day of July, 2008


CRAIG S. ROBERTS (CR0155)

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